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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

SURGICAL INSTRUMENT SERVICE  
COMPANY, INC.,

Plaintiff/  
Counterclaim-Defendant

vs.

INTUITIVE SURGICAL, INC.,

Defendant/  
Counterclaimant.

Case No.: 3:21-cv-03496-VC

**DECLARATION OF ASHLEY BASS IN  
SUPPORT OF INTUITIVE SURGICAL  
INC.'S MOTION TO EXCLUDE  
TESTIMONY OF DR. RUSSELL LAMB**

Judge: The Honorable Vince Chhabria

I, Ashley Bass, declare as follows:

1. I am an attorney licensed to practice in the District of Columbia and am admitted to practice *pro hac vice* before this Court. I am a partner with the law firm of Covington & Burling LLP, counsel for Intuitive Surgical, Inc. (“Intuitive”) in this matter. I have personal knowledge of the facts set forth herein, and if called upon to testify, I could and would testify competently thereto.

2. Attached to this declaration as **Exhibit 1** is a true and correct copy of the Expert Report of Dr. Russell Lamb, served by Plaintiff/Counterclaim-Defendant Surgical Instrument Services Company, Inc. (“SIS”) on Dec. 2, 2022.

3. Attached to this declaration as **Exhibit 2** is a true and correct copy of the Expert Antitrust Merits Rebuttal Report of Loren K. Smith, Ph.D., served by Defendant/Counterclaimant Intuitive Surgical, Inc. on Jan. 18, 2022.

4. Attached to this declaration as **Exhibit 3** is a true and correct copy of excerpts of the rough transcript of the deposition of Dr. Russell Lamb taken in this litigation on Mar. 20, 2023.

I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct.

DATED: March 23, 2023



ASHLEY BASS